

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

S.M.A.,

Civil No. 19-689 (DWF/ECW)

Plaintiff,

ORDER

v.

B. Birkholz,

Defendant.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Elizabeth Cowan Wright dated January 14, 2020. (Doc. No. 14.) No objections have been filed to that Report and Recommendation in the time period permitted. The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference. Based upon the Report and Recommendation of the Magistrate Judge and upon all of the files, records, and proceedings herein, the Court now makes and enters the following:

ORDER

1. Magistrate Judge Wright's January 14, 2020 Report and Recommendation (Doc. No. [14]) is **ADOPTED**.

2. S.M.A.'s Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 (Doc. No. [1]) is **DENIED** and the Petition is **DISMISSED WITH PREJUDICE**.

3. S.M.A.'s Motion for Summary Judgment (Doc. No. [4]) is **DENIED**.
4. S.M.A.'s Motion for Summary Judgment as a Matter of Default (Doc No. [6]) is **DENIED**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: February 4, 2020

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge